UNITED
NATIONS

TD

United Nations Conference
on Trade and Development

Distr.
GENERAL

TD/B/C.6/INF.14

25 January 1990

ENGLISH ONLY

TRADE AND DEVELOPMENT BOARD
Committee on Transfer of Technology

INTERNATIONAL CODE OF CONDUCT ON THE TRANSFER OF TECHNOLOGY

SELECT BIBLIOGRAPHY

GE.90-50145

INTERNATIONAL CODE OF CONDUCT ON THE TRANSFER OF TECHNOLOGY

SELECT BIBLIOGRAPHY

A. BOOKS

ACQUAAH, Kwamena

International regulation of transnational corporations: the new reality. New York: Praeger, 1986.

ALVAREZ SOBERANIS, Jaime

The need for the formulation of an international code of conduct for the transfer of technology. Council of the Americas and Fund for Multinational Management Education, New York, 1977.

BEHRMAN, Jack N. and others

Code of conduct on the transfer of technology: a critique edited by Susan S. Holland. Council of the Americas and Fund for Multinational Management Education, New York, 1976.

BIZEC, René-François et DAUDET, Yves

Un code de conduite pour le transfert de technologie. Paris: Economica, 1980.

BUSINESS INTERNATIONAL

Transfer of technology: a survey of corporate reaction to a proposed code. Geneva, 1978.

CABANELLAS, Guillermo

Antitrust and direct regulation of international transfer of technology transactions. Max Planck Institute IIC studies, Vol. 7, 1984.

FELD, Werner J.

Multinational corporations and U.N. politics: the quest for codes of conduct. New York: Pergamon Press, 1980.

READEX

FIKENTSCHER, Wolfgang assisted by KUNZ-HALLSTEIN, Hans Peter... (et al)

The draft international code of conduct on the transfer of technology: a study in Third World development. Weinheim (Federal Republic of Germany); Deerfield Beach (Fla.): Verlag Chemie, 1980 (IIC studies: Studies in industrial property and copyright law / Max Planck Institute for Foreign and International Patent, Copyright and Competition Law, Munich; 4).

HORN, Norbert (editor)

Legal problems of codes of conduct for multinational enterprises. Deventer, Netherlands; Boston, Mass.: Kluwer, 1980. (Studies in transnational economic law; 1).

Institute for Research and Information on Multinationals, Geneva.

Control of multinationals: what future for international codes of conducts in the 1980s. New York: Wily and Sons, 1984. (IRM Multinational Reports No. 2).

KLINE, John M.

International codes and multinational business: setting guidelines for international business operations. Westport, Conn.: Quorum Books, 1985.

KOKKINI-IATRIDON, D. and de WAART, P.J.I.M.

Overdracht van Technologie von Ontwikkelingslanden, Kluwer, Deventer, 1984.

LANGLOIS, Alain

Les Nations Unies et le transfert de technologie. Paris: Economica 1980.

PERLMUTTER, Howard V. and SAGAFI-NEJAD, Tagi

International technology transfer: guidelines, codes and muffled quadrilogue. Pergamon Press, 1981.

STAMPFLI-MEDZIKIJAN, Lorenz

Le transfert de technologie - les efforts actuels pour une réglementation internationale. Berne; Francfort M; Las Vegas: 1980. 481 p. Publications Universitaires Européennes: Série 31, sciences politiques, Vol.18.

WALLACE, Cynthia Day

Legal control of the multinational enterprise: national regulatory techniques and the prospects for international controls. The Hague; Boston, Mass.: M. Nijhoff Publishers, 1982.

WIONCZEK, Miguel S.

The international regulation of transfer of technology: a view of the LDCs. Council of the Americas and Fund for Multinational Management Education, New York, 1977.

B. Articles

AGRAWALA, S.K

Transfer of technology to LDCs: implications of the proposed code. *Indian Journal of International Law* 23, 246-264, No.2, April-June 1983,

ASANTE, Samuel Kwadwo Boaten

United Nations: international regulation of transnational corporations. *Journal of World Trade Law* 13, 55-66, January-February 1979.

BAADE, H. W.

The legal effects of codes of conduct for multinational enterprises. *German Yearbook of International Law* 22: 11-59, 1979.

BENNOUNA, Mohamed

Transfert de technologie et développement. *Strategie Afrique/Moyen Orient* 17: 5-12, 1983.

BESAROVIC, V. B.

Medunarodna kodificacija u oblasti transfera technologije i transnacionalnih korporacija (Summary in French). *Jugoslavenska Revija za Medunazodno* Pravo 31: 156-169, 1984.

BETTATI, M.

Réflexions sur la portée du code international de conduite pour le transfert de technologie: éloge de l'ambiguïté - *Droit et liberté à la fin du XXème siècles* , ! etudes offertes à Claude Albert Colliard, Paris, Pedone: 83-104, 1984.

BIZZOZERO, Lincoln J.

Las empresas transnacionales y los códigos internacionales de conducta: relación entre la crisis y la negociación. *Cuadernos del Centro Latino Americano de Economia Humana* 36: 57-69, mayo 1986.

BLAIR, H. O.

United Nations international code of conduct on the transfer of technology. *The John Marshall Journal of Practice and Procedure* 13, 163-203, Fall 1979.

BOCK, Peter

Controlling the transnational corporation: the issue of codes of conduct. *Peace and change* - 6(1/2): 11-22, Winter 1980. Comment by Henry BERGER, p.22.

BOGULAVSKY, Mark M.

Technology transfer and International Law: the Soviet approach. *German Yearbook of International Law* 28: 355-369, 1985.

BULAJIC, Milan

Transfer of technology and international law of economic development; Universal code of conduct or dual norms. *The New International Economic Order.* Workshop, The Hague, 23-25 October 1980: 256-265.

CABANELLAS, Guillermo

Applicable law under international transfer of technology regulations. *International review of industrial property and copyright law* 15: 39-67, no.1, January 1984.

Jurisdiction rules under international transfer of technology regulations. *International review of industrial property and copyright law* 16: 19-45, no.1, 1985.

CONBOY, Kevin

Note: The Group of 77 Draft provisions concerning supplier guarantees for the proposed international code of conduct on the transfer of technology. *Georgia Journal of International & Comparative Law* 9: 69-106, 1979.

COOMBE, G.W. Jr.

Multinational code of conduct and corporate accountability: new opportunities for corporate counsel. *Business Lawyer* 36: 11-43, November 1986.

CORREA Carlos M.

Código internacional de conducta sobre transferencia de tecnologia: estado actual de elaboración. *Revista del Derecho Comercial y de las Obligaciones* 69: 1979.

El derecho latinoamericano y la propuesta de regulación internacional de la transferencia de tecnologia: un análisis preliminar. *Integración latinoamericana* 57: 31-58, mayo 1981.

COUNTERS PEACE, Jeffries

Regulation of transfer of technology: an evaluation of the UNCTAD code of conduct. *Harvard International Law Journal* 18: no.2, 1977.

COUSIN, M.E.R.

Le projet de la CNUCED de Code international de conduite pour le transfert des techniques. *German Yearbook of International Law* 19: 199-222, 1976.

CREAN, J. G.

The international community and the multinational enterprise: response and regulation. *Behind the headlines* 40: no.3, 1982.

DAVIDOW, Joel and CHILES, Lisa

The United States and the issue of the binding or voluntary nature of international codes of conduct regarding restrictive business practices. *The American Journal of International Law* 72: 1978.

DAVIDOW, Joel

Antitrust and transfer of technology rules: recent developments. *The CTC reporter* 19: 38-Spring 1985.

DECAUX, E.

Forme et la force obligatoire des codes de bonne conduite. *Annuaire francais de droit international* 29: 81-97, 1983.

DELORME, J.

The changing legal framework for technology transfer: some implications *North-South Technology Transfer: The Adjustments Ahead*, Paris: OECD, 1981.

DESSEMONTET, François

Transfer of technology under UNCTAD and EEC draft codification: a European view on choice of law in licensing. *The Journal of International Law and Economics* 12: no.1, 1977.

DHANJEE, Rajan

Proyecto de Código Internacional de Conducta para la Transferencia de Tecnologia: Situación Actual. *Revista del Derecho Industrial*: 81-98, 1983.

EWING, A. F.

UNCTAD and the transfer of technology. *Journal of World Trade Law* 10: 197-214, no.3, 1976.

FAIRLEY, H. Scott and ROWCLIFFE Peter J.

The UNCTAD code of conduct for the international transfer of technology: problems and prospects. *Canadian yearbook of international law*: 18, 218-247, 1980.

FATOUROS, A. A.

Le projet de code international de conduite sur les entreprises transnationales: essai préliminaire d'évaluation. *Journal du droit international* 107(1): 5-47, janv./févr./mars 1980.

FEINRIDER, M.

UNCTAD transfer of technology code negotiations - West and East against the Third World. *Buffalo Law Review 30*: 1981.

FERNANDEZ TORNES, Antonio

Los códigos internacionales de conducta: nuevos instrumentos de regulación para un Nuevo Orden Económico Internacional. *Anuario de derecho internacional* 4: 199-238, 1977/1978.

FIKENTSCHER, Wolfgang

United Nations code of conduct: new paths in international law. *American Journal of Comparative Law* 30: 577-604, no.4, 1982.

FINNEGAN, Marcus B.

A code of conduct regulating international technology transfer: Panacea or Pitfall. *Hastings International and Comparative Law Review*: Spring 1977.

FONSECA, A.J.

Codes of conduct for transnational corporations. *Social Action* 31(2): 213-230, April/June 1981.

FRANCIONI, Francesco

International codes of conduct for multinational enterprises: an alternative approach. *Italian Yearbook of International Law* 3: 143-170, 1977.

FRANK, Horst

International code of conduct on transfer of technology: some basic observations from a transnational enterprise's viewpoint and some related conclusions. *German Yearbook of International Law* 24: 367-376, 1981.

GROSSE, Robert Edward

Codes of conduct for multinational enterprises. *Journal of world trade law* 16(5): 414-433, September/October 1982.

GUNTER, Hans

The International Labour Office declaration of multinational enterprises and the international code of conduct movement. *Loyola of Los Angeles: international and comparative law journal* 4: 1-25, 1981.

HAIGHT, G. W.

Multinational enterprises and the United Nations. *Natural Resources Law* 10: 499-506, 1977.

HAILBRONNER, K.

Völkerrechtliche und staatsrechtliche überlegungen zu Verhaltenskodizes für transnationale Unternehmen. *Schlochauer collection*: 329-362, 1981.

HAMILTON, Geoffrey

International codes of conduct for multinationals. *Multinational business*: 1-10, no.3, 1983.

HORN, Norbert (editor)

Die Entwicklung des internationalen Wirtschaftsrechts durch Verhaltensrichtlinien : neue Elemente eines internationalen ordre public. *Rabels Zeitschrift für ausländisches und internationales Privatrecht* 44(3): 423-454, 1980.

ILO

Control of multinationals: what future for international codes of conduct in the 1980s? *Social and labour bulletin* (Geneva): pp. 164- , (3-4), December 1985.

ISSAD, Mohand

Le projet de code international de conduite pour le transfert de technologie. *Revue algerienne des sciences juridiques, économiques et politiques* 69: 1983.

JANKOVIC, Ilija

International code of conduct on the transfer of technology. *Review of international affairs* 34(806): 18-21, 5 November 1983.

JOELSON, Mark R.

The proposed international codes of conduct related to restrictive business practices. *Law & Policy in International Business* 8: 1976.

United States law and the proposed Code of conduct on the transfer of technology. *The Antitrust Bulletin* 23: 835-891, winter 1978.

KIMMINICH, Otto

Technological transfer and international law: towards conceptual clarity. *German Yearbook of International Law* 25: 54-84, 1982.

KOBAYASHI, Noritake

A Japanese view of the international regulation of multinational corporations. *Japanese Annual of International Law* 27: 1-11, 1984.

KOUL, Antar Krishen

UNCTAD code on transfer of technology: an analysis in legal perspectives. *Foreign trade review* 20(2): 141-162, July/September 1985.

KUKAT, K.

Verhaltenscodices für multinationale Unternehmen. *Recht der Internationalen Wirtschaft* 25: 293-297, May 1979.

KUMMER, M.

UNCTAD-Code on transfer of technology: matters of central significance. *Revue suisse du droit international de la concurrence*: 29-37, juin 1982.

LANGLOIS, Alain

L'approche multilatérale du transfert de technologie: L'action des ONU et des institutions spécialisées au Maghreb. *Annuaire de XX l'Afrique du Nord* 15: 53-90, 1976.

LEVY, Philippe

La diplomatie multilatérale au niveau mondial. Les aléas des négociations onusiennes sur les codes de conduite en matière des sociétés transnationales et de transfert de technologie. *Relations Internationales* 40: 475-481, 1984.

MANGINI, Vito

Il transferimento di tecnologia ai paesi in via di sviluppo: materiali per una valutazione realistica. *Rivista di diritto internazionale privato e processuale* 43: no.1, 1979.

McKULLOCK, Rachel

Technology transfer to developing countries: implications of international regulation. *Journals, AAPSS* 458: 110, November 1981.

MENSBRUGGHE, Y. van der

Les codes de conduite pour sociétés multinationales: quelques réflexions. *Revue de droit international et de droit comparé* 59: 17-28, no.1/2, 1982.

MILLER, Debra Lynn

Panacea or problem? The proposed international code of conduct for technology transfer. *Journal of International Affairs* 33: 43-62, no.1, Spring/Summer 1979. School of International Affairs. Columbia University.

An economic appraisal of the proposed code of conduct for technology transfer. *Aussenwirtschaft* 36: 121-142, no.2, Juni 1981.

MILLER, Debra L. and Joel Davidson

Antitrust at the United Nations: a Tale of Two Codes. *Stanford Journal of International Law* 18: issue 2, 347-375, 1982.

MULLER, Marten

De unsekere toekomst van de gedragscode van de Verenigde Naties vor transnationale ondernemingen. *International Spectator* 27: 706-713, no.11, 1983.

NAGARAJA, Rao, K. (et al.)

Commentary on UNCTAD draft international code of conduct for technological transfer. Cambridge, Mass.: no date, p. 19 *mimeo version.*

NEKRASSOW, Arkadi

Transnationale Gesellschaften unter zwischenstaatliche Kontrolle im Rahmen der UNO. *Deutsche Aussenpolitik* 20: 84-95, 1975 (UNO Bilanz 1975/75).

NIXON, F.I. and YAMIN, M.

The United Nations on transnational corporations. A summary and a critique. *British Journal of International Studies* 6: 16-31, no.1, 1980.

OCRAN, T.M.

Interregional codes of conduct for transnational enterprises. *Connecticut Journal of International Law*: 121-148, Fall 1986.

POPE, Patricia

Transnational Corporations - the United Nations Code of Conduct. *Brooklyn Journal of International Law* 5: 351-355, no.7, 1979.

PRIMOFF, L.R.

International regulation of multinational corporations and business - the United Nation takes aim. *Journal of International Law and Economics* 11: 287-324, 1977.

PUGWASH, Conference on Science & World Affairs

Draft code of conduct on the transfer of technology / with an introductory statement by the Secretary-General Bernard T. Feld. *Oxford: World Development*: 77-82, 1974.

REYNOLDS, T.H.

Clouds of codes: tne new international economic order through codes of conduct: a survey. *Law Library Journal* Summ.: 315-354, 1982.

RISSANEN, Kirsti

The draft international code of conduct on the transfer of technology and standards of fairness in contract relationships. *Scandinavian studies in law* 27: 139-162, 1983.

ROACH, E.H.

The OECD and other international organizations: "soft law" for transnational business. *Canadian Council of International Law* 14: (1985): 201-211, 1986.

ROBERTSON, D.

International regulations for multinational enterprises. *Pacific Community* 6: 300-313, no.2, January 1975.

ROFFE, Pedro

International code of conduct on transfer of technology. *Journal of World Trade Law* 11: 186-191, no.2, 1977.

América Latina y el código de conducta para la transferencia de tecnologia. *Integración Latinoamerica* 29: October 1978.

¿Hacia un derecho internacional de la transferencia de tecnologia? *Revista del derecho comercial y de las obligaciones* 65: October 1978.

UNCTAD: Code of conduct for the transfer of technology: progress and issues under negotiation. *Journal of world trade law* 14: 160-172, no.2, March/April 1980.

UNCTAD: Transfer of technology code, fifth session of the UN Conference. *Journal of world trade law* 18: 176-182, March/April 1984.

Transfer of technology: UNCTAD's draft international code of conduct. *International lawyer* 19: 689-707, no.2, Spring 1985.

Code of Conduct on the transfer of Technology. *The CTC Reporter* 24: Autumn 1987.

ROWAN, Richard L. and CAMPBELL, Duncan C.

The attempt to regulate industrial relations through international codes of conduct. *Columbia Journal of World Business* 18: 64-72, no.2, Summer 1983.

RUBIN, Seymour J.

Transnational corportions and international codes of conduct: a study in the relationship between legal international cooperation and development. *Anuario juridico interamericano*: 87-112, 1980.

SANDERS, Pieter

The implementation of international codes of conduct for multinational enterprises. *Netherlands International Law Review* 28: 318-332, no.3, 1981.

Implementing international codes of conduct for multinational enterprises. *American Journal of Comparative Law* 30: 241-254, no.2, Spring 1982.

SANZ, F.O. and others

Developing and enforcing guidelines for multinational enterprises. *American Society of International Law*, Proceedings 70: 16-34, 1976.

SCHETTING, Gerd

UNO-Verhaltenskodex für transnationale Unternehmen. *Recht der Internationalen Wirtschaft. Aussenwirtschaftsdients des Betriebsberaters* 29: 287-289, no.4, 1983.

SCHWARTZ, Richard

Are the OECD and UNCTAD codes legally binding? *International Lawyer* 11: 529-536, no.3, 1977.

SEIFFERT, Wolfgang

Zur Geltung internationaler Verhaltenskodizes für Unternehmen aus den RGW - (Comecon-) Ländern. *German Yearbook of International Law* 23: 91-110, 1980.

SKELTON, James W. Jr.

UNCTAD's draft code of conduct on the transfer of technology: a critique. *Vanderbilt Journal of Transnational Laws* 14: 381-396, 1981.

SPERDUTI, G.

Società multinazionali di fronte alle Nazioni Unite. *Annuario di Diritto Comparato e di Studi Legislativi* 47: 53-60, 1974.

STOCKMANN, K.

Zu den Vorarbeiten für den UN-Verhaltenskodex für transnationale Unternehmen. *Wirtschaft und Wettbewerb* 27: 172-187, No.3, March 1977.

STOLTENBERG, Thorwald

Forhandlingene om en teknologikodes i UNCTAD. *International Politikk*: 165-170, no.2, 1978.

STRAUCH, Volkmar

Internationaler Technologietransfer in *H. Gutzler et al.* (ed.), *Weltbewerts in Wandel*, Baden-Baden: Nomosverlagsgesellschaft, 1980.

STUDIER, A.

Verhaltenskodizes für multinationale Konzerne und die Interessen der Entwicklungsländer. *Verfassung und Recht in Übersee* 11: 411-431, 1978.

TAPIOLA, Kari

Die "Multis": Ein Thema für die Vereinten Nationen. *Vereinte Nationen* 23: 151-154, no.5, 1978.

THARP, Paul A. Jr.

Transnational enterprises and international regulation: a survey of various approaches in international organisations. *International Organisation* 30: 47-73, no.1, 1976.

THOMPSON, Dennis

The UNCTAD code on transfer of technology. *Journal of World Trade Law* 16: 311-337, no.4, July/August 1982.

TIMBERG, Sigmund

The impact on the transnational corporation of the international code of conduct on the transfer of technology. *IIC, International Review of Industrial Property and Copyright Law* 12: 133-152, no.2, 1981.

The UNCTAD international code on the transfer of technology: current status. *International Business Lawyer* 11: 61-63, no.2, February 1983.

VERMA, S.K.

International codes of conduct for transnational corporations. *Indian Journal of International Law* 20: 20-46, no.1, 1980.

VITZTHUM, Wolfgang Graf

Transfer of technology and public international law. *Law and State*. 36: 95-118, 1987.

VOJNOVIC, M.

The New International Economic Order. 1. Principles and theoretical foundations 2. International regulation of the behaviour of transnational corporations. *Thesaurus Acroasium* 12: 245-264.

WALLACE, Cynthia Day

International codes and guidelines for multinational enterprises: update and selected issues. *International lawyer* 17: 435-463, no.3, Summer 1983.

WANG, N.T.

Code of conduct and taxation of transnational corporations. *Georgia Journal of International and Comparative Law* 8: 809-902, 1977.

Design of an international code of conduct for transnational corporations. *Journal of International Law and Economics* 10: 319-336.

WASHINGTON COLLEGE OF LAW

Symposium, codes of conduct for transnational corporations. Washington, D.C.: *American University Law Review* 30: 891-1126, no.4, 1981.

WESLEY, R.G.

Problems in regulating the multinational enterprise - an overview. *The International Lawyer* 10: 613-622, 1976.

WILNER, Gabriel M.

Applicable law and dispute settlement in the transfer of technology code. *Journal of World Trade Law* 17: 389-396, no.5, September October 1983.

WYSS, Othmar

Le code international de conduite pour le transfert de technologie: accord final en vue? *Le Mois Economique et Financier* 5: 8-11, 1980.

ZAPHIRION

An international code of conduct on transfer of technology. *International & Comparative Law Quarterly* 26: 210, 1977.

ZUIJDWIJK, T.J M.

Some observations concerning codes of conduct for international business. *Canadian Council of International Law* 14: 212-218, 1986.

The UNCTAD Code of Conduct on the Transfer of Technology. *McGill Law Journal* 24: 562, 1978.

YUSUF, Abdulqawi A.

L'élaboration d'un Code international de conduite pour le transfert de technologie: bilan et perspectives. *Revue générale de droit international publique* 88: 781-824, no.4, 1984.

"The United Nations Draft Code of Conduct on Transfer of Technology: problems and prospects" in *D. Dicke and E.U. Petersmann (ed.), Foreign Trade in the Present and a New International Economic Order*. Fribourg, University Press, Fribourg: 1988.

UNITED
NATIONS

TD

United Nations Conference
on Trade and Development

Distr.
GENERAL

TD/B/C.6/INF.15
1 August 1990

Original: ENGLISH

TRADE AND DEVELOPMENT BOARD
Committee on Transfer of Technology

PROVISIONAL AGENDA FOR THE EIGHTH SESSION OF THE COMMITTEE ON TRANSFER OF TECHNOLOGY

Note by the UNCTAD secretariat

At consultations held on 31 July 1990 pursuant to Trade and Development Board decision 143 (XVI), the Secretary-General of UNCTAD submitted for consideration a draft provisional agenda for the eighth session of the Committee on Transfer of Technology. The provisional agenda as approved at the consultations is reproduced below.

PROVISIONAL AGENDA FOR THE EIGHTH SESSION OF THE COMMITTEE ON TRANSFER OF TECHNOLOGY

1. Election of officers

2. Adoption of the agenda and organization of work

3. Transfer and development of technology in a changing world environment: the challenges of the 1990s

4. Trade and development opportunities and implications of new and emerging technologies: the case of biotechnology

5. Review of the work programme of the Committee

6. Provisional agenda for the ninth session of the Committee

7. Other business

8. Adoption of the report of the Committee to the Trade and Development Board.

GE.90-55772